

Utah

FURBEARER

PROCLAMATION 2006



Photo Courtesy of Lynn Chamberlain



STATE OF UTAH
NATURAL RESOURCES
Division of Wildlife Resources

Help Stop Poaching
(800) 662-DEER

wildlife.utah.gov

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Division Offices

Salt Lake Office 1594 West North Temple PO Box 146301 Salt Lake City, UT 84114 (801) 538-4700	Southeastern Region 475 W Price River Drive Suite C Price, UT 84501 (435) 636-0260	Central Region 1115 North Main Street Springville, UT 84663 (801) 491-5678
Northeastern Region 152 East 100 North Vernal, UT 84078 (435) 781-9453	Southern Region PO Box 606 1470 N Airport Road Cedar City, UT 84720 (435) 865-6100	Northern Region 515 East 5300 South Ogden, UT 84405 (801) 476-2740

Hunter Education Centers

Lee Kay Public Shooting Range 6000 West 2100 South Salt Lake City, UT 84120 (801) 972-1326	Cache Valley Public Shooting Range 2851 West 200 North Logan, UT 84321 (435) 753-4600
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Wildlife Board Members

James Bowns, Chair
Richard Diamond
Lee Howard
Keele Johnson
Paul Niemeyer
Allan Smith
Rick Woodard
James F. Karpowitz, UDWR Director, Executive Secretary

Highlights

What's new this season?

New 365-Day Licenses: Beginning Dec. 1, 2005, furbearer licenses will be valid for 365 days from the date of purchase. For example, if you purchase your furbearer license on Dec. 10, 2005, it will expire on December 9, 2006.

Restrictions to Protect River Otters: In an effort to protect newly transplanted river otters, the Escalante River has been added to the areas with trapping restrictions. See sections VI.B. and XVI.C.(I) for more information.

Modified 330 Conibear traps will be allowed in restricted areas. See sections VI.B. and XVI.C.(I) for more information.

Restrictions on the Colorado River have been extended to Lake Powell. See sections VI.B. and XVI.C.(I) for more information.

Changes to Trap Regulations: Changes have been made to the number of trap registration numbers allowed on a trapping device and those authorized to check trapping devices. See sections VI.A and VI.B for more information.

Lethal snares that are set to capture on the neck, that have a non-relaxing lock, and are anchored to an immovable object are now considered killing traps and must be visited every 96 hours. See section VI.B(11) for more information.

Season Changes for Trappers and Those Hunting with Dogs: In the past, hunters using dogs could start harvesting bobcats before the trapping season started. Trappers, in turn, were able to continue trapping after the season for houndsmen ended. Beginning this year, there will be one season for trappers and houndsmen.

Also remember

Permanent Tagging of Pelts: Bobcat pelts may be brought to Division offices, by appointment only, Monday through Friday, 8 a.m. to 5 p.m., Nov. 16, 2005, through Feb. 17, 2006, or at the Utah Fur Trappers Fur Sale on Feb. 18, 2006, to have a permanent tag affixed and to surrender the lower jaw.

Marten pelts may be brought to Division offices, by appointment only, Monday through Friday, 8 a.m. to 5 p.m., Oct. 11, 2005, through Feb. 17, 2006, or at the Utah Fur Trappers Fur Sale on Feb. 18, 2006, to have a permanent tag affixed and to surrender the lower jaw.

Accidental Trapping of Protected Species: Black-footed ferret, lynx, and wolf are protected species under the Endangered Species Act and river otters are state protected species. Accidental trapping or capture of these species must be reported to the Division.

Trapping on National Wildlife Refuges: Sportsmen desiring to trap on national wildlife refuges and tribal reservation and trust lands in Utah are advised to check with the respective refuge or tribal authority.

Coyote Hunting: Coyotes are not protected in Utah. They may be hunted without a license, year-round.

Private Lands: While taking wildlife or engaging in wildlife-related activities, a person may not, without the written permission of the owner or person in charge, enter upon privately owned land that is cultivated or properly posted. "Cultivated land" means land which is readily identifiable as: 1) land whose soil is loosened or broken up for the raising of crops; 2) land used for the raising of crops; or 3) pasture which is artificially irrigated. The DWR cannot guarantee access to any private land. If you plan to hunt in an area that is made up of all or mostly private lands you must also obtain WRITTEN permission from the landowner or an authorized representative of the landowner.

License Suspension: The Utah Division of Wildlife Resources has the authority to suspend hunting and fishing privileges for wildlife violations if the Division deems that the violation was committed knowingly, intentionally or recklessly. Any person who is convicted of, pleads guilty to, no contest to, or enters a plea in abeyance to a wildlife violation may be subject to administrative suspension. Notification of such action is generally served only after criminal proceedings have been concluded. Any Utah order of suspension may be recognized in other states participating in the Wildlife Violator Compact.

Division Funding: The Division of Wildlife Resources is funded by the sale of hunting and fishing licenses and through federal aid made possible through an excise tax on the sale of firearms and other hunting- and fishing-related equipment.

Protection from Discrimination: The Utah Division of Wildlife Resources receives federal financial assistance from the U.S. Fish and Wildlife Service. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, the U.S. Department of the Interior and its bureaus prohibit discrimination on the basis of race, color, national origin, age, disability or sex (in educational programs). If you believe that you have been discriminated against in any program, activity or facility, or if you desire further information please write to: The U.S. Fish and Wildlife Service, Office for Diversity and Civil Rights Programs-External Programs, 4040 North Fairfax Drive, Suite 130, Arlington, VA 22203.

State of Utah
Division of Wildlife Resources
Proclamation of the Wildlife Board
for Taking , Possessing, Selling, Purchasing and Disposing of
FURBEARERS
2005-2006

I. PURPOSE AND AUTHORITY

R657-11-1

Specific dates, areas, number of permits, limits, and other administrative details which may change annually are published herein. This proclamation expires September 30, 2006, unless modified or rescinded by the Wildlife Board.

II. DEFINITIONS

23-13-2 & R657-11-2

(1) "**Bait**" means any lure containing animal parts larger than one cubic inch, with the exception of white-bleached bones with no hide or flesh attached.

(2) "**Carcass**" means the dead body of an animal or its parts.

(3) "**Certificate of Registration**" means a document issued under the Wildlife Resources Code, or any rule or proclamation of the Wildlife Board granting authority to engage in activities not covered by a license, permit, or tag.

(4)(a) "**Domicile**" means the place:

- (i) where an individual has a fixed permanent home and principal establishment;
- (ii) to which the individual if absent, intends to return; and
- (iii) in which the individual and his family voluntarily reside, not for a special or

temporary purpose, but with the intention of making a permanent home.

(b) To create a new domicile an individual must:

- (i) abandon the old domicile; and
- (ii) be able to prove that a new domicile has been established.

(5) "**Exposed bait**" means bait which is visible from any angle.

(6) "**Furbearer**" means species of the *Bassariscidae*, *Canidae*, *Felidae*, *Mustelidae*, and *Castoridae* families, except coyote and cougar.

(7) "**Fur dealer**" means any individual engaged in, wholly or in part, the business of buying, selling, or trading skins or pelts of furbearers within Utah.

(8) "**Fur dealer's agent**" means any person who is employed by a resident or nonresident fur dealer as a buyer.

(9) "**Green pelt**" means the untanned hide or skin of any furbearer.

(10) "**License**" means the primary document granting authority to engage in activities under:

- (a) the Wildlife Resources Code; or
- (b) a rule or proclamation of the Wildlife Board.

(11) "**Nonresident**" means a person who does not qualify as a resident.

(12) "**Permit**" means a secondary document, including a stamp, which:

- (a) requires a license as a prerequisite to its issuance; and
- (b) grants authority to engage in specified activities under the Wildlife Resources Code or a rule or proclamation of the Wildlife Board.

(13) "**Possession**" means actual or constructive possession.

(14)(a) "**Protected wildlife**" means wildlife as defined in Subsection (22), except as provided in Subsection (b).

(b) "Protected wildlife" does not include coyote, field mouse, gopher, ground squirrel, jack rabbit, muskrat, and raccoon.

(15) "**Pursue**" means to chase, tree, corner, or hold a furbearer at bay.

(16)(a) "**Resident**" means a person who:

(i) has been domiciled in the state of Utah for six consecutive months immediately preceding the purchase of a license; and

(ii) does not claim residency for hunting, fishing, or trapping in any other state or country.

(b) A Utah resident retains his Utah residency if he leaves this state:

(i) to serve in the armed forces of the United States or for religious or educational purposes; and

(ii) complies with Subsection (a)(ii).

(c)(i) A member of the armed forces of the United States and dependents are residents for the purposes of this proclamation as of the date he reports for duty under assigned orders in the state if he:

(A) is not on temporary duty in this state; and

(B) complies with Subsection (a)(ii).

(ii) A copy of the assignment orders must be presented to a wildlife Division office to verify the member's qualification as a resident.

(d) A nonresident attending an institution of higher learning in this state as a full-time student may qualify as a resident for purposes of this proclamation if he:

(i) has been present in this state for 60 consecutive days immediately preceding the purchase of the license; and

(ii) complies with Subsection (a)(ii).

(e) A Utah resident license is invalid if a resident license for hunting, fishing, or trapping is purchased in any other state or country.

(f) An absentee landowner paying property tax on land in Utah does not qualify as a resident.

(17) "**Scent**" means any lure composed of material of less than one cubic inch.

(18) "**Sell**" means to offer or possess for sale, barter, exchange, or trade, or the act of selling, bartering, exchanging, or trading.

(19) "**Tag**" means a card, label, or other identification device issued for attachment to the carcass of protected wildlife.

(20) "**Take**" means to:

(a) hunt, pursue, harass, catch, capture, possess, angle, seine, trap, or kill any protected wildlife; or

(b) attempt any action referred to in Subsection (a).

(21) "**Trapping**" means taking protected wildlife with a trapping device.

(22) "**Wildlife**" means:

(a) crustaceans, including brine shrimp and crayfish; and

(b) vertebrate animals living in nature, except feral animals.

III. LICENSE, PERMIT, AND TAG REQUIREMENTS

A. License, Permit, and Tags

23-19-1 & R657-11-3

(1) A person may not engage in hunting or trapping protected wildlife or in the sale, trade, or barter of protected wildlife or their parts without first having procured the necessary licenses, Certificates of Registration, permits, and tags as provided in the Wildlife

Resources Code and this proclamation and having at the same time the licenses, Certificates of Registration, permits, and tags on his or her person.

(2) A person may not lend, transfer, sell, give, or assign licenses, Certificates of Registration, permits, or tags belonging to the person or the rights granted by licenses, Certificates of Registration, permits, or tags or use or attempt to use a license, Certificate of Registration, permit, or tag of another person, except as may be authorized by the Wildlife Board for purposes of transporting wildlife.

(3) Red fox and striped skunk may be taken anytime without a license.

(4) A person who has a valid current year furbearer license may take furbearers during the established furbearer seasons.

(5) A person who has a valid current year furbearer license and valid temporary bobcat possession tags may take bobcat during the established bobcat season.

(6) A person who has a valid current year furbearer license and valid marten trapping permit may take marten during the established marten season.

(7) Any license, permit, or tag that is mutilated or otherwise made illegible is invalid and may not be used for taking or possessing furbearers.

B. Proof of Furharvester Education

23-19-11.5

(1) A resident born after December 31, 1984, may not purchase a resident furbearer license unless the applicant presents:

- (a) a certificate of completion of a Division approved furharvester education course; or
- (b) an immediately preceding year's furbearer license with the furharvester education number noted on the furbearer license.

(2) Upon issuance of the resident furbearer license, the Division or authorized wildlife license agent shall indicate the applicant's furharvester education number on the face of the furbearer license.

(3)(a) If an applicant for a resident furbearer license has completed a furharvester education course and is applying for a permit or license through the Division's drawings, Internet site, or other electronic means authorized by the Division, the applicant's furharvester education number and the name of the state, province, or country that issued the number may constitute proof of completion of a furharvester education course under this section.

(b) The Division may research the furharvester education number to verify that the applicant has completed a Division approved furharvester education course.

Apply online: It's quick and easy!

The best way to purchase a bobcat tag is online at wildlife.utah.gov. There are many advantages to buying online:

- you can purchase up to six bobcat tags from your home or office
 - it only takes minutes and you will receive an e-mail confirmation
 - the site alerts you if you make an error
-

C. Temporary Possession Tags for Bobcat

R657-11-4

(1) Temporary bobcat possession tags are only valid with a valid furbearer license.

(2) Up to six temporary bobcat possession tags may be obtained through either of the following methods:

(a) online October 3, 2005 through November 7, 2005 by 11:00 p.m. through the Division's Web site: wildlife.utah.gov; or

(b) by completing and submitting a paper application October 3, 2005 through October 28, 2005 by 5:00 p.m. to any Division office, or sent to:

BOBCAT APPLICATION
P.O. Box 168888
Salt Lake City, Utah 84116-8888

(3) Paper applications are available at any Division office and must include \$5 for each temporary bobcat possession tag requested.

(4) Temporary bobcat possession tags are valid for the entire bobcat season.

D. Tagging Bobcats

23-20-30 & R657-11-5

(1) The carcass of a bobcat must be tagged before the carcass is moved from or the hunter leaves the site of kill.

(2) To tag a carcass, a person shall:

(a) completely remove the appropriate notches to correspond with:

- (i) the date the animal was taken;
- (ii) the sex of the animal; and
- (b) attach the tag to the carcass so that the tag remains securely fastened and visible.

(3) A person may not:

- (a) remove more than one notch indicating date or sex; or
- (b) tag more than one carcass using the same tag.

(4) The tag must remain with the pelt or unskinned carcass until a permanent bobcat tag has been affixed.

(5) Possession of an untagged green pelt or unskinned carcass is prima facie evidence of unlawful taking and possession.

(6) The lower jaw of each bobcat taken must be removed and tagged with the numbered jaw tag corresponding to the number of the temporary possession tag affixed to the hide.

E. Marten Permits

R657-11-6

(1) A person may not trap marten or have marten in possession without having a 2005 or 2006 furbearer license and a marten trapping permit in possession.

(2) Marten trapping permits are available free of charge from any Division office.

(3)(a) Applications for marten permits must contain the applicant's full name, mailing address, phone number, and 2005 or 2006 furbearer license number.

(b) Permit applications are accepted by mail or in person at any regional Division office.

F. Permanent Possession Tags for Bobcat and Marten

R657-11-7

(1) A person may not:

(a) possess a green pelt or unskinned carcass from a bobcat or marten that does not have a permanent tag affixed after the Saturday following the close of the bobcat trapping season and marten seasons;

(b) possess a green pelt or the unskinned carcass of a bobcat with an affixed temporary bobcat possession tag issued to another person, except as provided in Subsections (4) and (5); or

(c) buy, sell, trade, or barter a green pelt from a bobcat or marten that does not have a permanent tag affixed.

(2)(a) Bobcat and marten pelts must be delivered to a Division representative to have a permanent tag affixed and to surrender the lower jaw.

(b) Marten pelts may be delivered to the:

(i) Division offices listed in Subsection (e), by appointment only, Monday through Friday, 8:00 a.m. to 5:00 p.m., October 11, 2005 through February 17, 2006; or

(ii) Utah Fur Trappers Fur Sale on February 18, 2006.

(d) Bobcat pelts may be delivered to the:

(i) Division offices listed in Subsection (e), by appointment only, Monday through Friday, 8:00 a.m. to 5:00 p.m., November 16, 2005 through February 17, 2006; or

(ii) Utah Fur Trappers Fur Sale on February 18, 2006.

(e)(i) Cedar City - Regional Office

(ii) Logan Hatchery

(iii) Ogden - Regional Office

(iv) Price - Regional Office

(v) Salt Lake City - Salt Lake Office

(vi) Springville - Regional Office

(vii) Vernal - Regional Office

(3) There is no fee for permanent tags.

(4) Bobcat and marten which have been legally taken may be transported from an individual's place of residence by an individual other than the fur harvester to have the permanent tag affixed; bobcats must be tagged with a temporary possession tag and accompanied by a valid furbearer license belonging to the fur harvester.

(5) Any individual transporting a bobcat or marten for another person must have written authorization stating the following:

(a) date of kill;

(b) location of kill;

(c) species and sex of animal being transported;

(d) origin and destination of such transportation;

(e) the signature and furbearer license number of the fur harvester;

(f) the name of the individual transporting the bobcat or marten;

and

(g) the fur harvester's marten permit number if marten is being transported.

(6) Green pelts of bobcats and marten legally taken from outside the state may not be possessed, bought, sold, traded, or bartered in Utah unless a permanent tag has been affixed or the pelts are accompanied by a shipping permit issued by the wildlife agency of the state where the animal was taken.

(7)(a) Fur harvesters taking marten are requested to present the entire skinned carcass intact, including the lower jaw, to the Division in good condition when the pelt is presented for tagging.

(b) "Good condition" means the carcass is fresh or frozen and securely wrapped to prevent decomposition so that the tissue remains suitable for lab analysis.

G. Sales Final

23-19-38

(1) Sales of all licenses, certificates, or permits, are final, and no refunds may be made by the Division, except as provided in Subsection (2).

(2) The Division may refund the amount of the license, certificate or permit if:

(a) the Division or the Wildlife Board discontinues the activity for which the license, certificate or permit was obtained;

(b) the Division determines that it has erroneously collected a fee;

(c)(i) the person to whom the license, certificate or permit is issued becomes ill or suffers an injury that would preclude that person from being able to participate in the activity for which the license, certificate or permit was obtained;

(ii) the person furnishes verification of illness or injury from a physician;

(iii) the person does not actually participate in the activity for which the license, certificate or permit was obtained; and

(iv) the license, certificate or permit is surrendered before the end of the season for which the permit was issued begins; or

(d) the person to whom the license, certificate or permit is issued dies prior to that person being able to participate in the activity for which the license, certificate or permit was obtained.

H. Duplicate License

23-19-10 & R657-42

(1) If an unexpired license, permit, tag or Certificate of Registration is destroyed, lost or stolen, a person may obtain a duplicate from a Division office or online license agent for

\$5 or half of the price of the original license, permit, tag or Certificate of Registration, whichever is less.

(2) The Division may waive the fee for a duplicate unexpired license, permit, tag or Certificate of Registration provided the person did not receive the original license, permit, tag or Certificate of Registration.

(3) To obtain the duplicate license, permit, tag or Certificate of Registration, the applicant may be required to complete an affidavit testifying to such loss, destruction or theft.

IV. FEES

A. License Fees

Resident furbearer license	\$29
Nonresident furbearer license	\$154

B. Bobcat Temporary Possession Tags

Resident	\$5 per tag
Nonresident	\$5 per tag

C. Marten Permit—No Charge

D. Trap Registration Number

Resident (payable once)	\$5
Nonresident (payable once)	\$5

E. Certificates of Registration

Fur dealer	\$105*
Fur dealer's agent	\$105*
Fur dealer renewal	\$25
Fur dealer's agent	\$25

*Includes \$5 nonrefundable handling fee.

V. EXHIBIT OF LICENSE, STAMP, PERMIT, TAG, AND WILDLIFE

23-20-25

Any person while engaged in any activity regulated under the Wildlife Resources Code shall be required upon demand of any conservation officer or any other peace officer to exhibit:

(1) the required license, permit, or tag;

(2) any device or apparatus in that person's possession used for any activity regulated under the Wildlife Code; or

(3) any wildlife in that person's possession.

VI. TRAPS AND BAIT

For the purposes of this Section, "owner" means the person who has been issued a trap registration number, which is permanently marked or affixed to the trapping device.

A. Identification Numbers

R657-11-9

- (1) Each trapping device used to take furbearers must be permanently marked or tagged with the registered number of the owner.
- (2) No more than one trap registration number may be on a trapping device.
- (3) Registration numbers must be legible.
- (4) Registration numbers are permanent and may be obtained by mail or in person from any Division office.
- (5) Applicants must include their full name, including middle initial, and complete home address.
- (6) A registration fee of \$5 must accompany the request. This fee is payable only once.
- (7) Each individual is issued only one registration number.
- (8) Any person who has obtained a registration number must notify the Division within 30 days of any change in address or the theft of traps.

B. Traps

R657-11-10

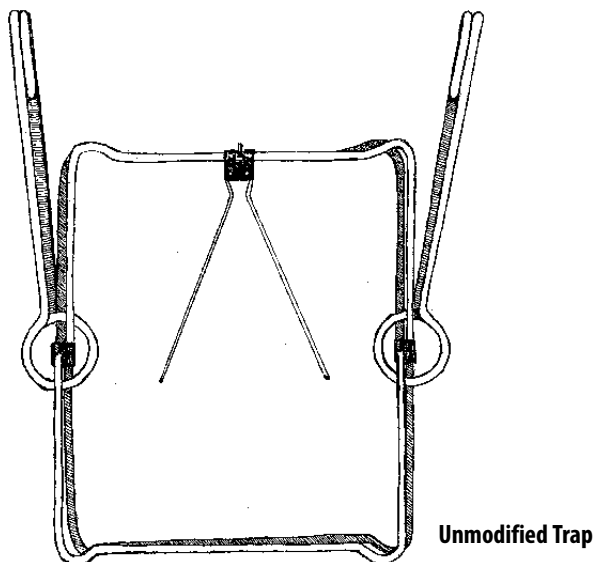
- (1) All long spring, jump, or coil spring traps, except rubber-padded jaw traps, that are not completely submerged under water when set must have spacers on the jaws which leave an opening of at least 3/16 of an inch when the jaws are closed.
- (2) On the Green River (between Flaming Gorge Dam and the Utah-Colorado state line), the Colorado River (Utah-Colorado state line and Lake Powell), and the Escalante River (between Escalante and Lake Powell), trapping within 100 yards of either side of these rivers or their tributaries, up to 1/2 mile from their confluences, is restricted to the following devices:
 - (a) Nonlethal-set leg hold traps with a jaw spread less than 5 1/8 inches, and nonlethal-set padded leg hold traps. Drowning sets with these traps are prohibited.
 - (b) Body-gripping, killing-type traps with body-gripping area less than 30 square inches (i.e., 110 Conibear).

(c) Nonlethal dry land snares equipped with a stop-lock device that prevents it from closing to less than a six-inch diameter.

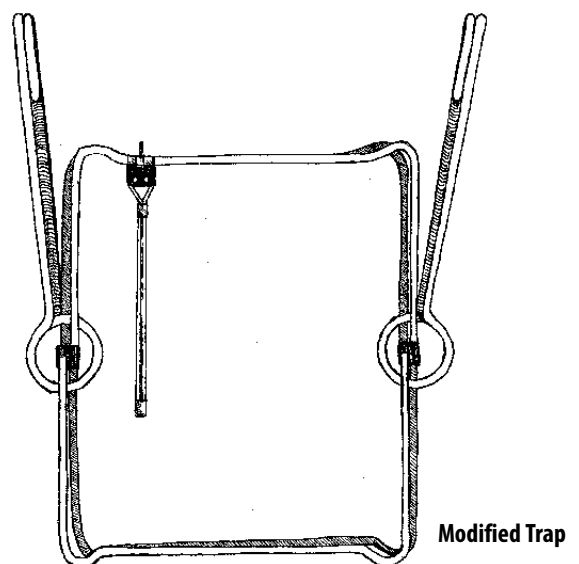
(d) Size 330, body-gripping, killing-type traps (i.e. Conibear) modified by replacing the standard V-trigger assembly with one top side-parallel trigger assembly, with the trigger placed within one inch of the side, or butted against the vertical turn in the Canadian bend (see below).

- (3) A person may not disturb or remove any trapping device, except:
 - (a) a person who possesses a valid current year furbearer license, the appropriate permits or tags, and who has been issued a trapper registration number, which is permanently marked or affixed to the trapping device; or
 - (b) peace officers in the performance of their duties; or
 - (c) as provided in Subsection (5).
- (4) A person may not kill or remove wildlife caught in any trapping device, except:
 - (a) a person who possesses a valid current year furbearer license, the appropriate permits or tags, and who has been issued a trapper registration number, which is permanently marked or affixed to the trapping device; or
 - (b) as provided in Subsection (5).
- (5) A person, other than the owner, may possess, disturb or remove a trapping device; or possess, kill or remove wildlife caught in a trapping device provided:
 - (a) the person possesses a valid current year furbearer license, the appropriate permits or tags; and
 - (b) has obtained written authorization from the owner of the trapping device stating the following:
 - (i) date written authorization was obtained;
 - (ii) name and address of the owner;
 - (iii) owner's trap registration number;
 - (iv) the name of the individual being given authorization;
 - (v) signature of owner.
- (6) The owner of any trapping device, providing written authorization to another person under Subsection (5), shall be strictly liable for any violations of this proclamation resulting from the use of the trapping device by the authorized person.
- (7) The owner of any trapping device, providing written authorization to another person under Subsection (5), must keep a record of all persons obtaining written authorization and furnish a copy of the record upon request from a conservation officer.

Drawings courtesy of Brian Maxfield



Unmodified Trap



Modified Trap

Unmodified and Modified Conibear Traps

Standard V-trigger assemblies on Conibear traps (shown on the left) are not legal on certain parts of the Green and Escalante Rivers (see XI.B(2) above for locations). The modification shown on the right (one top side-parallel trigger assembly) is now required to protect river otters (see XI.B(2)(d) above for more on required modifications).

(8)(a) A person may not set any trap or trapping device on posted private property without the landowner's permission.

(b) Any trap or trapping device set on posted property without the owner's permission may be sprung by the landowner.

(c) Wildlife officers should be informed as soon as possible of any illegally set traps or trapping devices.

(9) Peace officers in the performance of their duties may seize all traps, trapping devices, and wildlife used or held in violation of rules set forth by this proclamation.

(10) A person may not possess any trapping device that is not permanently marked or tagged with that person's registered trap number while engaged in taking wildlife, except as provided in Subsection (5).

(11) All traps and trapping devices must be visited and checked at least once every 48 hours, except killing traps striking dorso-ventrally; drowning sets; and lethal snares that are set to capture on the neck, that have a non relaxing lock, without a stop, and are anchored to an immovable object; which must be visited every 96 hours.

(12) A person may not transport or possess live protected wildlife. Any animal found in a trap or trapping device must be killed or released immediately by the trapper.

C. Use of Bait

R657-11-11

(1) A person may not use any protected wildlife or their parts, except for white-bleached bones with no hide or flesh attached, as bait or scent; however, parts of legally taken furbearers and nonprotected wildlife may be used as bait.

(2) Traps or trapping devices may not be set within 30 feet of any exposed bait.

(3) A person using bait is responsible if it becomes exposed for any reason.

(4) White-bleached bones with no hide or flesh attached may be set within 30 feet of traps.

D. Accidental Trapping

R657-11-12

(1)(a) Any bear, bobcat, cougar, fisher, marten, otter, wolverine, any furbearer trapped out of season, or other protected wildlife accidentally caught in a trap must be released unharmed.

(b) Written permission must be obtained from a Division representative to remove the carcass of any of these species from a trap.

(c) The carcass remains the property of the state and must be turned over to the Division.

(2) All incidents of accidental trapping of any of these animals must be reported to a Division representative.

(3) Black-footed ferret, lynx, and wolf are protected species under the Endangered Species Act. Accidental trapping or capture of these species must be reported to the Division.

VII. HUNTING METHODS

A. Methods of Take and Shooting Hours

23-20-12 & R657-11-13

(1) Furbearers, except bobcats, may be taken by any means, excluding explosives, poisons, and crossbows or as otherwise provided in Section VII.D.

(2) Bobcats may be taken only by shooting, trapping, or with the aid of dogs as provided in Section XVI.D.

(3) Marten may be taken only with an elevated, covered set in which the maximum trap size shall not exceed 1 ½ foothold or 160 Conibear.

(4) Taking furbearers by shooting or with the aid of dogs is restricted to one-half hour before sunrise to one-half hour after sunset, except as provided in Section VII.D.

(5) A person may not take any wildlife from an airplane or any other airborne vehicle or device or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles.

B. Loaded Firearms in a Vehicle

76-10-502 & 76-10-505

(1) A person may not carry a loaded firearm in or on a vehicle.

(2) A pistol, revolver, rifle, or shotgun is deemed to be loaded when there is an unexpended cartridge, shell, or projectile in the firing position.

(3) Pistols and revolvers shall also be deemed to be loaded when an unexpended cartridge, shell, or projectile is in a position whereby the manual operation of any mechanism once would cause the unexpended cartridge, shell, or projectile to be fired.

(4) A muzzleloading firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinders.

Dangerous Weapon Restrictions

As per Utah Code Annotated, Section 76-10-503, a person is prohibited from possessing any dangerous weapon, including but not limited to: archery equipment, crossbows, spearguns, rifles, muzzleloaders and shotguns.

The purchase or possession of any license, permit, tag or certificate of registration issued by the Division does not authorize the holder to possess or use a firearm or dangerous weapon. Hunting, fishing, trapping or target shooting activities are not exempt from this law.

C. Discharge of Firearm from a Motor Vehicle or Near a Highway

76-10-508

(1) A person may not discharge any kind of dangerous weapon or firearm:

(a) from an automobile or other vehicle;

(b) from, upon, or across any highway;

(c) at any road signs placed upon highways of the state;

(d) at any communications equipment or property of public utilities including facilities, lines, poles, or devices of transmission or distribution;

(e) at railroad equipment or facilities including any sign or signal;

(f) within Utah State Park buildings, designated camp or picnic sites, overlooks, golf courses, boat ramps, and developed beaches; or

(g) without written permission to discharge the dangerous weapon from the owner or person in charge of the property within 600 feet of:

(i) a house, dwelling, or any other building; or

(ii) any structure in which a domestic animal is kept or fed, including a barn, poultry yard, corral, feeding pen, or stockyard.

D. Spotlighting

23-13-17 & R657-11-14

(1) Except as provided in Subsection (3):

(a) a person may not use or cast the rays of any spotlight, headlight, or other artificial light to locate protected wildlife while having in possession a firearm or other weapon or device that could be used to take or injure protected wildlife; and

(b) the use of a spotlight or other artificial light in a field, woodland, or forest where protected wildlife are generally found is prima facie evidence of attempting to locate protected wildlife.

(2) The provisions of this section do not apply to the use of the headlights of a motor vehicle or other artificial light in a usual manner where there is no attempt or intent to locate protected wildlife.

(3) Spotlighting may be used to hunt coyote, red fox, striped skunk, or raccoon where allowed by a county ordinance enacted pursuant to Section 23-13-17.

(4) The ordinance shall provide that:

(a) any artificial light used to spotlight coyote, red fox, striped skunk, or raccoon must be carried by the hunter;

(b) a motor vehicle headlight or light attached to or powered by a motor vehicle may not be used to spotlight the animal; and

(c) while hunting with the use of an artificial light, the hunter may not occupy or operate any motor vehicle.

(5) For purposes of the county ordinance, "motor vehicle" shall have the meaning as defined in Section 41-6-1.

(6) The ordinance may specify:

(a) the time of day and seasons when spotlighting is permitted;

(b) areas closed or open to spotlighting within the unincorporated area of the county;

(c) safety zones within which spotlighting is prohibited;

(d) the weapons permitted; and

(e) penalties for violation of the ordinance.

(7)(a) A county may restrict the number of hunters engaging in spotlighting by requiring a permit to spotlight and issuing a limited number of permits.

(b) A fee may be charged for a spotlighting permit.

(8) A county may require hunters to notify the county sheriff of the time and place they will be engaged in spotlighting.

(9) The requirement that a county ordinance must be enacted before a person may use spotlighting to hunt coyote, red fox, striped skunk, or raccoon does not apply to:

(a) a person or his agent who is lawfully acting to protect his crops or domestic animals from predation by those animals; or

(b) an animal damage control agent acting in his official capacity under a memorandum of agreement with the Division.

E. Use of Dogs

R657-11-15

(1) Dogs may be used to take furbearers only during the prescribed open seasons.

(2) The owner and handler of dogs used to take or pursue a furbearer must have a valid furbearer license in possession while engaged in taking furbearers.

(3) When dogs are used in the pursuit of furbearers, the licensed hunter intending to take the furbearer must be present when the dogs are released and must continuously participate in the hunt thereafter until the hunt is completed.

F. Carrying a Dangerous Weapon While Under the Influence of Alcohol or Drugs

76-10-528

(1) Any person who carries a dangerous weapon while under the influence of alcohol or a controlled substance as defined in Section 58-37-2 is guilty of a class B misdemeanor. Under the influence means the same level of influence or blood or breath alcohol concentration as provided in Section 41-6-44.

(2) It is not a defense to prosecution under this section that the person:

(a) is licensed in the pursuit of wildlife of any kind; or

(b) has a valid permit to carry a concealed firearm.

G. Use of Firearms and Archery Tackle on State Waterfowl Management Areas

R657-9-11

(1) A person may not possess a firearm or archery tackle on the following waterfowl management areas any time of the year except during the specified waterfowl hunting seasons or as authorized by the Division:

(a) Box Elder County - Harold S. Crane, Locomotive Springs, Public Shooting Grounds and Salt Creek;

(b) Daggett County - Brown's Park;

(c) Davis County - Farmington Bay, Howard Slough and Ogden Bay;

(d) Emery County - Desert Lake;

(e) Millard County - Clear Lake;

(f) Tooele County - Timpie Springs;

(g) Uintah County - Stewart Lake;

(h) Utah County - Powell Slough;

(i) Wayne County - Bicknell Bottoms; and

(j) Weber County - Ogden Bay and Harold S. Crane.

(2) The firearm restrictions set forth in this section do not apply to a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take wildlife.

H. Wildlife Management Areas

R657-11-33

(1) A person may not use motor vehicles on Division-owned wildlife management areas closed to motor vehicle use during the winter without first obtaining written authorization from the appropriate Division regional office.

(2) For the purpose of coyote trapping, the Division may, in its sole discretion, authorize limited motor vehicle access to its wildlife management areas closed to such use during the winter provided the motor vehicle access will not interfere with wintering wildlife or wildlife habitat.

I. State Parks

R657-11-16 & R651-614-4

(1) Taking any wildlife is prohibited within the boundaries of all state park areas except those designated by the Division of Parks and Recreation in Section R651-614-4.

(2) Hunting with a rifle, handgun, or muzzleloader on park areas designated open is prohibited within one mile of all park facilities including buildings, camp or picnic sites, overlooks, golf courses, boat ramps, and developed beaches.

(3) Hunting with shotguns and archery equipment is prohibited within one quarter mile of the above stated areas.

VIII. POSSESSION, SALE, AND TRANSPORTATION

A. Transporting Furbearers

R657-11-17

(1)(a) A person who has obtained the appropriate license and permit may transport green pelts of furbearers. Additional restrictions apply for taking bobcat and marten as provided in Section III.D.

(b) A registered Utah fur dealer or that person's agent may transport or ship green pelts of furbearers within Utah.

(2) A furbearer license is not required to transport red fox or striped skunk.

B. Exporting Furbearers from Utah

R657-11-18

(1) A person may not export or ship the green pelt of any furbearer from Utah without first obtaining a valid shipping permit from a Division representative.

(2) A furbearer license is not required to export red fox or striped skunk from Utah.

C. Sales

R657-11-19

(1) A person with a valid furbearer license may sell, offer for sale, barter, or exchange only those species that person is licensed to take, and which were legally taken.

(2) Any person who has obtained a valid fur dealer or fur dealer's agent Certificate of Registration may engage in, wholly or in part, the business of buying, selling, or trading green pelts or parts of furbearers within Utah.

(3) Fur dealers or their agents and taxidermists must keep records of all transactions dealing with green pelts of furbearers.

(4) Records must state the following:

(a) the transaction date; and

(b) the name, address, license number, and tag number of each seller.

(5) A receipt containing the information specified in Subsection (4) must be issued whenever the ownership of a pelt changes.

(6)(a) A person may possess furbearers and tanned hides legally acquired without possessing a license, provided proof of legal ownership or possession can be furnished.

(b) A furbearer license is not required to sell or possess red fox or striped skunk or their parts.

D. Wasting Wildlife

23-20-8 & R657-11-20

(1) A person may not waste or permit to be wasted or spoiled any protected wildlife or their parts.

(2) The skinned carcass of a furbearer may be left in the field and does not constitute waste of wildlife.

IX. AIDING OR ASSISTING

23-20-23

(1) A person may not aid or assist another person to violate any provision of the Wildlife Resources Code, rule, or proclamation.

(2) The penalty for aiding or assisting is the same as the provision for which aid or assistance is given.

X. CHECKING STATIONS

(1) The Division monitors the taking and possession of wildlife, the required licenses, permits, tags, certificates of registration, firearms, and other equipment used for hunting.

(2) Hunters should expect to encounter conservation officers or biologists checking hunters in the field, at checking stations, and check points.

(3) These contacts allow the Division to collect valuable information concerning wildlife populations and trends as well as helping to fulfill the Division's responsibility as trustee and custodian of wildlife.

XI. DEPREDACTION

A. Badger, Weasel, and Spotted Skunk

R657-11-21

(1) Badger, weasel, and spotted skunk may be taken anytime without a license when creating a nuisance or causing damage, provided the animal or its parts are not sold or traded.

(2) Red fox and striped skunk may be taken any time without a license.

B. Bobcat

R657-11-22

(1) Depredating bobcats may be taken at any time by duly appointed animal damage control agents, supervised by the animal damage control program, while acting in the performance of their assigned duties and in accordance with procedures approved by the Division.

(2) A livestock owner or his employee, on a regular payroll and not hired specifically to take furbearers, may take bobcats that are molesting livestock.

(3) Any bobcat taken by a livestock owner or his employee must be surrendered to the Division within 72 hours.

C. Beaver

R657-11-23

(1) Beaver doing damage may be taken or removed during closed seasons.

(2) A permit to remove damaging beaver must first be obtained from a Division office or conservation officer.

XII. QUESTIONNAIRE

R657-11-24

Each permittee who receives a questionnaire should return the questionnaire to the Division regardless of success. Returning the questionnaire helps the Division evaluate population trends, harvest success, and other valuable information.

XIII. TRESPASS

23-20-14

(1) While taking wildlife or engaging in wildlife related activities, a person may not:

(a) without the permission of the owner or person in charge, enter upon privately owned land that is cultivated or properly posted;

(b) refuse to immediately leave the private land if requested to do so by the owner or person in charge; or

(c) obstruct any entrance or exit to private property.

(2) "Cultivated Land" means land which is readily identifiable as:

(a) land whose soil is loosened or broken up for the raising of crops;

(b) land used for the raising of crops; or

(c) pasturage which is artificially irrigated.

(3) "Permission" means written authorization from the owner or person in charge to enter upon private land that is properly posted, and must include:

(a) the signature of the owner or person in charge;

(b) the name of the person being given permission;

(c) the appropriate dates; and

(d) a general description of the property.

(4) "Properly posted" means that "No Trespassing" signs or a minimum of 100 square inches of bright yellow, bright orange or fluorescent paint are displayed at all corners, fishing streams crossing property lines, roads, gates, and rights-of-way entering the land. If metal fence posts are used, the entire exterior side must be painted.

(5) A person may not post:

(a) private property he does not own or legally control; or

(b) land that is open to the public as provided by Section 23-21-4.

(6) A person convicted of violating any provision of Subsection (1) may have his license, tag, Certificate of Registration, or permit, relating to the activity engaged in at the time of the violation, revoked by a hearing officer.

XIV. MILITARY INSTALLATIONS, FEDERAL WILDLIFE REFUGES AND TRIBAL TRUST LANDS

(1) Military installations, including Camp Williams, are closed to hunting, trapping, and trespassing unless otherwise authorized.

(2) Federal Wildlife Refuges are closed to hunting, trapping, and trespassing unless otherwise authorized.

(3) Hunters must observe tribal regulations concerning wildlife while hunting on tribal trust lands.

XV. PROHIBITED SPECIES

R657-11-25

- (1) A person may not take black-footed ferret, fisher, lynx, otter, wolf, or wolverine.
- (2) Accidental trapping of any of these species must be reported to a Division representative.
- (3) Black-footed ferret, lynx, and wolf are protected species under the Endangered Species Act. Accidental trapping or capture of these species must be reported to the Division.

XVI. SEASON DATES & BAG LIMITS

R657-11-26

A. Bag Limits

There are no bag limits for furbearers for which there is an open season, except up to six bobcats may be taken as provided in this proclamation.

B. Badger, Kit Fox, Gray Fox, Ringtail, Spotted Skunk, and Weasel

- (1) Season Dates: October 8, 2005, through February 12, 2006.
- (2) Areas Open: Statewide, except special regulations may apply on national wildlife refuges, tribal trust and reservation lands, and waterfowl management areas.

C. Beaver and Mink

- (1) Season Dates: October 8, 2005, through April 16, 2006.
- (2) Areas Open: Statewide, except as provided in Subsection (3).
- (3) Closed Areas:
 - (a) Beaver County - Indian Peaks Wildlife Management Area.
 - (b) Carbon County - North Fork Gordon Creek upstream from the Coal Canyon Road and the Beaver Creek Drainage of the Price River Drainage.
 - (c) Daggett County - Green River between Flaming Gorge Dam and the Taylor Flat Bridge. See Subsection (1).
 - (d) Garfield County - Hunt Creek west of Forest Service Boundary.
 - (e) Grand County - Bitter Creek and Sweetwater drainages. See Subsection (1).
 - (f) Garfield and Kane counties - Swains Creek above confluence with Asay Creek, and the East Fork of Sevier River and tributaries above Blue Fly Creek.
 - (g) Garfield and Iron counties - Bear Creek drainage, and Blue Springs Creek, Bunker Creek, and Deer Creek above Panguitch Lake.
 - (h) Rich County
 - Big Creek above ranches;
 - Randolph Creek;
 - Woodruff Creek above Woodruff Reservoir; and
 - Pine Creek, Dip Hollow, and Peggy Hollow within the U.S. Forest Service boundary.
 - (i) Summit County
 - All lands east of SR-150 and south of U.S. Forest Service Roads 058, 072, 017, and 077 commonly known as the "North Slope Road"; and
 - that part of Echo Creek proper upstream from its confluence with the Weber River along I-80 to the top of Wasatch.
 - (j) Millard County - U.S. Forest Service, Desert Range Experiment Station.
 - (k) Uintah County - Bitter Creek and Sweetwater drainages. See Subsection (1).
 - (l) On the Green River (between Flaming Gorge Dam and the Utah-Colorado state line), the Colorado River (Utah-Colorado state line and Lake Powell), and the Escalante River (between Escalante and Lake Powell), trapping within 100 yards of either side of these rivers or their tributaries, up to ½ mile from their confluences, is restricted to the following devices:

- (i) Nonlethal-set leg hold traps with a jaw spread less than 5 ¼ inches, and nonlethal-set padded leg hold traps. Drowning sets with these traps are prohibited.
- (ii) Body-gripping, killing-type traps with body-gripping area less than 30 square inches (i.e., 110 Conibear).
- (iii) Nonlethal dry land snares equipped with a stop-lock device that prevents it from closing to less than a six-inch diameter.
- (iv) Size 330, body-gripping, killing-type traps (i.e. Conibear) modified by replacing the standard V-trigger assembly with one top side-parallel trigger assembly, with the trigger placed within one inch of the side, or butted against the vertical turn in the Canadian bend (see page 7).

D. Bobcat

- (1) Season Dates: November 16, 2005, through February 12, 2006.
- (2) Bobcats may be taken only by shooting, trapping, or with the aid of dogs.
- (3) Possession Limit: Six
- (4) Areas Open: Statewide, except special regulations may apply on national wildlife refuges, tribal trust lands, and waterfowl management areas.

E. Red Fox and Striped Skunk

- (1) Season Dates: Year round
- (2) Areas Open: Statewide, except special regulations may apply on national wildlife refuges, tribal trust lands, and waterfowl management areas.
- (3) A license is not required to take red fox or striped skunk.

F. Marten

- (1) Season Dates: October 8, 2005, through February 12, 2006.
- (2) Areas Open: Daggett, Duchesne, Summit and Uintah counties.

XVIII. TRAPPING ON STATE WATERFOWL MANAGEMENT AREAS

A. Applications

R657-11-27

- (1) Applications for trapping on state waterfowl management areas are available November 14, 2005 from Division offices, and from waterfowl management superintendents.
- (2) Applications must be received through the mail no later than 5 p.m., November 28, 2005. Applications completed incorrectly or received after November 28, 2005 may be rejected.
- (3) Applications must be sent to the Wildlife Management section in the Salt Lake Division office.
- (4)(a) Trappers may apply for only one permit on only one management area in any 12 month period.
- (b) Up to three trappers may apply as a group for a single permit.
- (c) None of the group applicants may apply for any other area.
- (5)(a) Only the trapper or trappers specified on the application may trap on the waterfowl management area.
- (b) Violation of this section is cause for forfeiture of all trapping privileges on management areas for that trapping year.
- (6) Areas open to trapping, trapping fees, and number of permits for individual areas are available at Division offices or by contacting the waterfowl management area superintendents during the application period.
- (7)(a) If the number of applications received exceeds the number of permits available, a drawing will be held. Applicants will be notified by mail of drawing results.
- (b) This drawing will determine successful applicants and alternates.
- (8) Trapping dates and species that may be trapped shall be determined by the waterfowl management area superintendent.

(9) All trappers must trap under the supervision of the waterfowl management area superintendent.

Brown's Park

Superintendent, c/o Northeastern Regional Office, 152 East 100 North, Vernal, Utah 84078

Clear Lake

Superintendent, 731 East 4500 South, Delta, Utah 84624

Desert Lake

Superintendent, c/o Southeastern Regional Office, 475 West Price River Dr. Suite C, Price, Utah 84501

Farmington Bay

Superintendent, P.O. Box 618, Farmington, Utah 84025

Harold S. Crane

Superintendent, c/o Northern Regional Office, 515 East 5300 South, Ogden, Utah 84405

Howard Slough

Superintendent, Hooper, Utah 84315

Locomotive Springs

Superintendent, Box 133, Route #2, Tremonton, Utah 84337

Ogden Bay

Superintendent, Hooper, Utah 84315

Powell Slough

Superintendent, c/o Central Regional Office, 1115 North Main Street, Springville, Utah 84663

Public Shooting Grounds

Superintendent, Box 133, Route #2, Tremonton, Utah 84337

Salt Creek

Superintendent, Box 133, Route #2, Tremonton, Utah 84337

Stewart Lake

Superintendent, c/o Northeastern Regional Office, 152 East 100 North, Vernal, Utah 84078

James Walter Fitzgerald

Superintendent, c/o Central Regional Office, 1115 North Main Street, Springville, Utah 84663

B. Fees

R657-11-28

(1) Upon payment of trapping fees, successful applicants are granted trapping rights for management areas.

(2) If a successful applicant fails to make full payment within ten days after the drawing, an alternate trapper will be selected.

(3) Permits are not valid until signed by the superintendent in charge of the area to be trapped.

C. Vehicle Travel

R657-11-29

Vehicle travel is restricted to developed roads. However, written permission for other travel may be obtained from the waterfowl management area superintendent.

D. Trapping Hours

R657-11-30

Traps may be tended only between one-half hour before official sunrise to one-half hour after official sunset.

E. Responsibility of Trappers

R657-11-31

(1) All trappers are directly responsible to the waterfowl management area superintendent.

(2) Violation of management or trapping rules, including failure to return a trapping permit within five days of cessation of trapping activities, or failure to properly trap an area, as determined and recommended by the superintendent, may be cause for cancellation of trapping privileges, existing and future, on all waterfowl management areas.

F. Closed Area

R657-11-32

Davis County - Trapping is allowed only from January 2, 2006 through February 28, 2006, on those lands administered by the state lying along the eastern shore of the Great Salt Lake, commonly known as the Layton-Kaysville marshes. In addition, there may be a portion of the above stated area that is closed to trapping. This area will be posted and marked.



On a cell phone, dial *DEER • Send e-mail to: HelpStopPoaching@utah.gov • Online at wildlife.utah.gov/law/hsp

RESPONSIBLE OHV USE

The Utah Division of Wildlife Resources encourages responsible OHV use. While most OHV users are responsible, misuse results in disturbance to wildlife, damage to wildlife habitat, and personal injury.

Please be aware that unlawful OHV use is a criminal offense. Utah Division of Wildlife Resources' Conservation Officers and State Parks & Recreation's Rangers regularly enforce all OHV regulations, including:

- riding an OHV in closed or restricted areas and roadways;
- harassment of wildlife;
- helmet-law regulations; and
- OHV operator age restriction regulations.

Many designated roads and trails on public lands are available to responsible OHV users. You may obtain a copy of a "Travel Opportunity Guide" from the appropriate federal land management agencies (USDA Forest Service or Bureau of Land Management). Please refer to the "Travel Opportunity Guide" for locations where you can ride. Under Utah state law, all public lands are closed to OHV use unless designated open by map, sign, or description. The closures protect sensitive natural resources such as watersheds and valued wildlife habitats, and ensure public safety.

The Utah Division of Wildlife Resources owns and manages several hundred thousand acres of Wildlife Management Areas across the state for wildlife purposes. Controlled OHV use on these lands protects wildlife and their habitats.

Utah law also requires that youth, ages 8 to 16, receive OHV certification.



GET INVOLVED

Get involved in the decision-making process regarding Utah wildlife management, rules and regulations. Attend your local wildlife Regional Advisory Council (RAC) meetings. The Utah State Legislature created the RACs in the early 1990s to gather public input from citizens at the grassroots level about wildlife management issues. The five RACs in the state each consist of 12 to 15 members who represent agriculture, sportsmen, nonconsumptive wildlife users, locally elected public officials, federal land agencies and the public at large.

The RACs gather public input at regularly scheduled meetings throughout the state and make recommendations to the Utah Wildlife Board in an advisory capacity. The Wildlife Board relies heavily on input from the RACs when establishing policy, rules and regulations for the Division of Wildlife Resources.

In these open public meetings, citizens are encouraged to ask questions and express opinions and ideas in a structured forum. This is your opportunity to make a difference.

For more information, visit wildlife.utah.gov/public_meetings.

Regional Advisory Council Chairs

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Southeastern Region

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